Revenue (1929) Department

MS SERIES.

G.O. No. 1652

DATED 10-8-1929

[Despatch Abstract.]

Survey - Resurvey - South Kanara - Encroachments - detection - Govt. Orders - applicability - Local Fund roads

C.F. 31

Revenue **DEPARTMENT.**

CURRENT No. 1382 5 May 29/5

Received ..... 192 . *Registered* 25-5- 192 9

Localled for from CRB
By 29.5.29 Pkp
returned from CRB 30/5/29
Pkp 30/5

Subject.

Survey - Resurvey - South Kanara District - Encroachments - Detection - Government orders - Applicability - Local Fund roads - orders passed.

ENCLOSURES.
No.....
.....
Spare copies.....

Reference No. G.1743-29-1

Station Madras, *Dated the* 27th May 192 9

From

The Board of Revenue, ~~Revenue~~ Land Revenue and Settlement, ~~etc.~~ ~~Separate Revenue.~~

C.W.E.Cotton Esq.,C.I.E., I.C.S.,
Commissioner of Land Revenue and Sett.

~~Resolution~~ Reference.

× pp 3-6 infra

Read the following:-

× Letter from A.R.Mac Ewen Esquire, M.C., I.C.S., Special Settlement Officer, Party No.IV, Cannanore, R.O.C.No. 76/B & C/29-5, dated 19th April 1929.

Reference.-

The Board proceeds to pass orders on the several points raised in the Special Settlement Officer's reference read above.

× pp3-5 infra

(i) × Paras. 1-5

The Board approves the action of the Settlement Officer in having ordered his Special Assistant Settlement Officer

Officer at Kasaragod to concentrate his Mangalore staff in the Kasargod taluk.

(ii) Para. 6 (a) and (b) The recent orders of Government in regard to the detection and treatment of encroachments on porambokes apply to Local Fund ~~road~~ roads also and all land value and back assessment hitherto levied should be refunded.

(iii) Para.6 C (i). The orders in G.O.173 Mis. dated 25-1-29 do not preclude the Special Settlement Officer from treating as encroachments occupations of porambokes where there is objection either from the ryots or from local bodies. Objections raised by the Local Boards in such cases may be treated as public - representations against the resurvey demarcation. It is therefore unnecessary in the cases referred to by the Special Settlement Officer to cancel the encroachments provided there is satisfactory proof that they are real encroachments.

(iv) Para. C (ii). In view of the orders issued in G.O.173 Mis dated 25-1-'29, the Board is inclined to think that the Settlement staff need not on its own initiative, make any attempt to bring to the notice of the Local Boards any encroachments on the road porambokes in the non resurveyed taluks. This question is however intimately connected with the question whether the Settlement - department should inspect and reclassify such porambokes with reference to the orders issued in G.O.1688 Revenue dated 5-10-26 and 182 Revenue dated 1-2-'27. The Board has made a reference to Government on this question and their orders are ~~awaited~~ awaited.

Assistant Secretary.

To the Special Settlement Officer No.IV Party.

To the Secretary to Government, Revenue Department with a copy of the Special Sett. Officer's letter.

To the Collector of South Kanara with a copy of the Special Sett. Officer's letter.

M.P. 27/5

Copy of letter from A.R.Mac Ewen Esq., M.C., I.C.S., Special Settlement Officer, Party No.1V, Cannanore. R.O.C.No.76/B& C /29-5 dated 19th April 1929.

Settlement - Resettlement - South Kanara District - Mangalore Taluk.

In my report R.O.C.284/B&C.26-2, dated 20-11-28, recorded in B.P.Routine No.7739, dated 27-11-28, I outlined the procedure for resettlement work in the Mamagalore Taluk. A small Branch Office has been working in Mangalore since January, on the various items of office work preliminary to field work. But recent develo, ents have made me alter my views on the advisability of taking up field work in that Taluk straightaway.

2. As matters stand now, the only item of work that is ready is the revision of registry. The inspection of porambokes might be taken up now, but the exact work to be done on Local Fund and other roads is not very clear and I believe that the Board has asked Government for orders on the treatment of such porambokes. I deal at greater length with the question of encroachments on roads below (paragraph 6); but meanwhile it seems that the only object of poramboke inspection is to see whether they fulfil their present registered purpose is, I submit, unnecessary; if this is all that is required, it would be much better to avoid this labour and expense by asking the village officers whether each road still exists; but the Government orders definitely say that the Revenue Department are to carry out a programme during maintenance and that settlement parties are to do this work in Districts under resettlement.

Vide Board's Reference in linked file (Corr. 809 E/29) - pp 5-6 infra

3. Apart from these two items, I have just received the orders of Government communicated in B.P. Mis. No.1012, dated the 8th of April, 1929, requiring me to have an instigation made into the extent of assessed waste that is under unauthorised occupation; the orders call for lists from the village officers, an operation that (including over-check by my staff) will take some months to complete. It seems advisable to combine this field work with the normal rough patta objection hearing operations, or at least, if it is found that this over-check cannot conveniently be coordinated with the normal inspections and done by the same classifiers at one time, to have both branches of work running at the same time under the close supervision of one Special Assistant Settlement Officer. A further consideration is that, if the report on unauthorized occupation shows a clear case for the assignment and assessment of such occupation, it will probably be possible, in at least a fair number of villages, to get the supplemental survey work involved done at the same time as the normal rough patta objection hearing survey work.

G.O. No 661 27-3-2 (S)

4. Finally, work in old Kasaragod Taluk is far from being finished. My report dated the 20th of November, 1928, quoted above, assumed that the Kasaragod work would be practically finished by this time. But the various Government orders on the resurvey of the taluk have provided work that will occupy the Special Assistant Settlement Officer and his men for some months yet. He is already taking up refund lists as a result of the cancellation of all land value and almost all back assessment

pp.3-4 (5)

collections. He will have much detailed work in connection with the orders (paragraph 4(2) (iv) of the G.O. communicated with B.P.No.Mis. 1012, dated 8-4-29) cancelling the assignment of kumaki land that is not effectively occupied--work that will call for a good deal of subdividing.

5. In the circumstances, I have, in anticipation of the Board's approval, issued orders to my special Assistant Settlement Officer at Kasaragod to concentrate his Mangalore staff again at Kasaragod. I request that my action may be approved.

6. I refer above to the question of road porambokes. I take this opportunity of asking for orders on the effect of the orders of Government, as to encroachments, on the treatment of Local Fund and other roads. Such porambokes have so far, in South Kanara as in other Districts, been scrutinized in the field, according to the orders of Government, to reduce them to reasonable dimensions. As a result of the representations of certain ryots, Government have laid it down that, in the case of channel porambokes, cases that had been treated at resurvey as encroachments are not to be regarded as encroachments at all; and it has further been laid down that, in un-re-surveyed areas (which amounts to the whole of the District except the old Kasaragod taluk) no steps are to be taken by my staff to examine reputed encroachments unless representations are made by the ryots or unless B memos are found in the Taluk office. I have the honour to enquire if the same principles are to be applied to road porambokes. It seems that they should be, as the principle underlying the Government orders on the re-survey of Kasaragod has equal force in

in all cases. I need hardly point out how this would tie the hands of the Local Fund authorities. Now that the practice is for the Revenue Officers, when they notice an encroachment, only to inform the Local Fund authorities of the case, there are no B.memos on which the settlement staff can take action. Even although it has been laid down that representations from the local boards are to be acted upon, I submit that this amounts to very little. It is too much to expect that lethargy will change to activity without the stimulus of the details of each case that have been provided by the s Settlement staff.

I therefore request orders on these points:--

(a) are Local Fund roads to be regarded as coming under the recent orders on porambokes?

(b) if they are not to be so regarded, are the orders issued in some cases for the collection of land value and back assessment to stand?

(c) if they are to be so regarded,

(i) in the re-surveyed portions of the District (i.e., in old Kasaragod Taluk) are all the encroachments that were discovered at re-survey to be cancelled, thus rendering the innumberable objections to assignment raised by the local boards after settlement enquiry null and void and making them powerless to protect their own interests.

and (ii) in the rest of the District, is my staff to make no attempt at all to bring encroachments on such roads ro notice?

7. I request the favour of very early orders, as the clearing up of this point with regard to Kasaragod will make the work of the Branch Office less protracted.

(17)

Revenue Dept.

[C No 1384 E/29]

Survey – Resurvey – South Kanara Dt. – Encroachments – Detection – Government Orders – Applicability – Local Fund roads.

(16)

From the Board of Rev (LR&S) G. 1743-129 I
dt 27-5-1929

To Under Secy

Please see the letter from the S.S.O. No IV Party at pp 3-6 C.F. and the Board's Reference thereon at pp 1-2 C.F. The orders passed by the Board on several points raised by the S.S.O. are ~~ordered~~ as under. ~~do not call~~ for any remarks.

With reference to the portion marked A of the Board's Reference at page 2 C.F. please see para 3 of the draft order in the linked file (C No 809 E/29). The issue of order in the linked file is ~~also~~ pending issue of order detailing the procedure to be adopted when a local board expresses its desire to bring an unmaintained road under maintenance. This file may lie over pending issue of the orders referred to above

(under separate consideration)
A

Seen
AD
14/6.

DK
8/6/29

DDV
11.6.29

S

tdd
12/6/29

To Secretary.

The files referred to at A. on p1. have since been disposed of vi. Govt NO 1491 Rev & 26.1.29 and (N) NV-1600 Rev & 6th August 1929 — (M)

The Board's reference in the CF may therefore be recorded with reference to the orders referred to above. A draft order is submitted for approval

DJ
9.8.29
DK
9/8/29

Govt
10/8/29

Sectt. 5 (a)—48,004—6-11-28. (6)

Revenue DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Poona

(1) READ AGAIN G.O. No 1491 Rev, dated 26 7 1929

(2) " " " " 1600 Rev " 6 8 1929

READ ALSO:—

(3) G. No 4384-E From the Boards Rev Dept.; No. 4. 1743 / 29-1 dated 27. 5. 1929.

(4) " " " " " 192 .

(5) " " " " " 192 .

ORDER. No. 1652 dated 10. 8. 1929.

Recorded

To The Boards Rev Dept.

Dpd by Van / Post / Messenger

Dpr's. Date.